



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**

**Region 9**

**75 Hawthorne Street  
San Francisco, CA 94105**

## **BRIEFING**

**DATE:** January 30, 2014

**SUBJ:** Potential Emerging Issue – Refusal of RPs to Cooperate with Winter Air Sampling Requests  
Hewlett Packard 620-640 Page Mill Road Superfund Site - Palo Alto, California

**FROM:** Melanie Morash, Remedial Project Manager

**TO:** Caleb Shaffer, Chief, California Site Cleanup Section I  
Enrique Manzanilla, Director, Superfund Division

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- October 30<sup>th</sup> – Enrique & project team meet with HP/Varian group at EPA SF
    - o HP/Varian agree to prepare winter sampling workplan; ask that no site-specific letter be issued
  - November – December – E-mails back and forth between RP counsel (Chris Roe) & Kathleen Salyer
  - December 3<sup>rd</sup> – EPA issues South Bay Sites Letter (VI/TCE) to Regional Water Board
  - December 13<sup>th</sup> – HP/Varian submit draft workplan
  - Mid-late December – technical e-mail correspondence & calls between HP/Varian consultant & RPM on alternative, more robust sampling strategies
  - January 3<sup>rd</sup> – RPM submits technical comment memo to RPs
  - January 13<sup>th</sup> – HP/Varian submit final workplan which does not reflect EPA's technical recommendations
  - January 23<sup>rd</sup> – EPA team meets with HP/Varian in Palo Alto
    - o Regional Water Board issues Workplan approval letter, which includes, as recommendation, an alternate sampling strategy that uses HP/Varian's preferred device, but adds robustness to data
    - o HP/Varian counsel (Chris Roe) unhappy with "recommendation"
  - Last week in January – phone calls between Caleb & HP rep (Paul Paschke)
  - Yesterday – Regional Water Board sends e-mail to HP/Varian, asking for response to the Workplan approval & HP/Varian's intent as regards the winter sampling